

## **INTERFERENCE DIGEST**

Interference No. 105,343

Paper No.

Name: Shoichi Yamazaki et al.

Serial No.: 09/511,243

Patent No.

Title: Head-up display device with curved optical surface having total reflection

Filed: 02/23/00

Interference with Takahashi

### **DECISION ON MOTIONS**

Administrative Patent Judge, \_\_\_\_\_ Dated, \_\_\_\_\_

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### **FINAL DECISION**

Board of Patent Appeals and Interferences, \_\_\_\_\_ Dated, \_\_\_\_\_

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Court, \_\_\_\_\_ Dated, \_\_\_\_\_

### **REMARKS**

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**This should be placed in each application or patent involved in interference in addition to the interference letters.**



## UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES  
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Judge Richard E. Schafer  
Telephone: 571-272-9797  
Facsimile: 571-273-0042

MAILED

JAN 25 2006

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Applicants: YAMAZAKI  
Application No.: 09/511,243  
Filed: 02/23/00  
For: Head-up display device with curved optical  
surface having total reflection

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,343.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Richard E. Schafer/  
RICHARD E. SCHAFER  
Administrative Patent Judge

Paper 1

Mail Stop Interference  
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Filed January 25, 2006

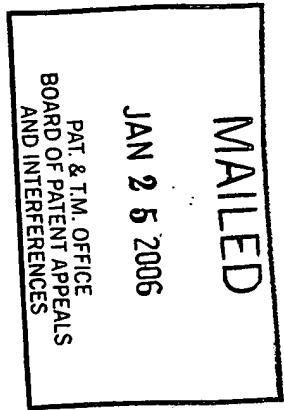
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Olympus Optical Co., LTD.,  
Junior Party  
(Patents: 6,195,207; 6,317,267 & 5,875,056  
Named Inventor: Koichi Takahashi)

v.

Canon Kabushiki Kaisha,  
Senior Party  
(Application 09/511,243  
Named Inventors: Shoichi Yamazaki and Takeshi Nishimura).



Patent Interference No. 105,343 (RES)  
(Technology Center 2800)

**DECLARATION - Bd.R. 203(d)<sup>1</sup>**

1        **Part A. Declaration of interference**

2        An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.  
3        Details of the application(s), patent (if any), reissue application (if any), count(s) and claims  
4        designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this  
5        DECLARATION.

6        **Part B. Judge managing the interference**

7        Administrative Patent Judge Richard E. Schafer has been designated to manage the  
8        interference. 37 CFR § 41.104(a).

<sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

### **Part C. Standing order**

A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION.

3 The STANDING ORDER applies to this interference.

#### **Part D. Initial conference call**

A telephone conference call to discuss the interference is set for 3:00 p.m. on March 22,

6 2006 (the Board will initiate the call).

**No later than two business days prior to the conference call, each party shall file and serve**

8 (SO ¶¶ 10.1 & 105) a list of the motions (37 CFR §§ 41.120 & 204; SO ¶¶ 104.2.1, 120 & 204) the  
9 party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the

1 STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference call  
2 and to agree on dates for taking action. A typical motion period lasts approximately eight (8)  
3 months. Counsel should be prepared to justify any request for a shorter or longer period.

## **Part E. Identification and order of the parties**

### Junior Party

Named inventor: Koichi Takahashi

Involved Patents: 6,317,267

6,195,207

5,875,056

Title: Head or Face Mounted Image Display Apparatus

Assignee: Olympus Optical Co., LTD.

## Senior Party

Named Inventors: Shoichi Yamazaki and Takeshi Nishimura

Involved Application: 09/511,243

# Head-up Display Device with Curved Optical Surface Having Total Reflection

Assignee: Canon Kabushiki Kaisha

1 The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit  
2 numbers 2001-2999. 37 CFR § 41.154(c)(1); SO ¶ 154.2.1. The senior party is responsible for  
3 initiating settlement discussions. SO ¶ 126.1.

#### 4 Part F. Count and claims of the parties

5 Count 1  
6 Claim 11 of Application 09/511,243 or  
7 Claim 17 of Application 09/511,243 or  
8 Claim 23 of Application 09/511,243 or  
9 Claim 48 of Application 09/511,243 or  
10 Claim 58 of Application 09/511,243 or  
11 Claim 5 of Patent 5,875,056 or  
12 Claim 8/1 of Patent 6,195,207 or  
13 Claim 1 of Patent 6,317,267.

## 15 The claims of the parties are:

16 Canon

18 Olympus

19 1. Patent 6,317,267: Claims 1-11

22 of 22

20 2. Patent 6,195,207: Claims 1-14  
21 3. Patent 5,875,056: Claims 1-24

22 The claims of the parties which correspond to Count 1 are:

23 Canon

24 Application 09/511,243: Claims 11-63

25 Olympus

26 1. Patent 6,317,267 : Claims 1-11  
27 2. Patent 6,195,207: Claims 1, 2, 8-14

1                   3. Patent 5,875,056:           Claims 1, 3-10, 14-15, 17/10,<sup>2</sup> 17/14-15,  
2   18/5-7, 18/10, 18/14-15, 19/5-7, 19/10,  
3   19/14-15, 20/5-7, 20/10, 20/14-15, 21/5-7,  
4   21/10, 21/14-15, 22-24

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6                   The claims of the parties which do not correspond to Count 1, and therefore are not involved  
7                   in the interference, are:

8                   Canon

9                   Application 09/511,243:           None

10                   Olympus

11                   1. Patent 6,317,267 :           None

12                   2. Patent 6,195,207:           3-7

13                   3. Patent 5,875,056:           Claims 11-13, 16, 17/11-13, 18/11-13,  
14   19/11-13, 20/11-13, 21/11-13

15                   The parties are accorded the following benefit for Count 1:

16                   Canon

17                   08/959,285 (10/24/97)

18                   08/478,688 (6/07/95)

19                   Olympus

20                   09/229,981 (1/14/99)

21                   08/912,119 (8/15/97)

22                   08/505,516 (7/21/95)

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<sup>2</sup> The claim(s) after the "/" depend directly upon the claim before the "/." The designation does not show the complete chain of dependency. E.g. The Claim designated 20/7 depends directly from Claim 7 while Claim 7 itself depends from Claim 5.

1           **Part G. Heading to be used on papers**

2           The following heading must be used on all papers filed in this interference, see SO ¶ 106.1.1:

4           UNITED STATES PATENT AND TRADEMARK OFFICE

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6           BEFORE THE BOARD OF PATENT APPEALS  
7           AND INTERFERENCES  
8           

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10           Olympus Optical Co., LTD.,

11           Junior Party

12           (Patents: 6,195,207; 6,317,267 & 5,875,056

13           Named Inventor: Koichi Takahashi)

14           v.

15           Canon Kabushiki Kaisha,

16           Senior Party

17           (Application 09/511,243

18           Named Inventors: Shoichi Yamazaki and Takeshi Nishimura).

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20           Patent Interference No. 105,343 (RES)

21           (Technology Center 2800)  
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23           **Part H. Order form for requesting file copies**

24           When requesting copies of files, use of SO Form 4 will greatly expedite processing of the

25           request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle

26           around the patents and applications for which a copy of a file wrapper is requested.

27           /Richard E. Schafer/  
28           Administrative Patent Judge

29           Enc: Copy of STANDING ORDER

30           Copy U.S. Patents 6,195,207; 6,317,267 & 5,875,056

31           Copy of claims of 09/511,243

32           Revised 3 January 2006

cc (via overnight delivery):

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